



Journal of the House

State of Indiana

121st General Assembly

First Regular Session

Thirty-sixth Day

Monday Afternoon

March 25, 2019

The invocation was offered by Pastor Michael Kelley of Word of Truth Ministries in Milford, a guest of Representative Nisly.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Ziemke.

The Speaker ordered the roll of the House to be called:

| | |
|-----------------------------------|-----------------------------------|
| Abbott | Huston |
| Austin <input type="checkbox"/> | Jackson |
| Aylesworth | Jordan |
| Bacon | Judy |
| Baird | Karickhoff |
| Barrett | Kirchhofer |
| Bartels | Klinker |
| Bartlett | Lauer |
| Bauer | Lehe |
| Beck | Lehman |
| Behning | Leonard |
| Borders | Lindauer |
| Boy | Lucas |
| T. Brown | Lyness |
| Burton | Macer |
| Campbell | Mahan |
| Candelaria Reardon | Manning |
| Carbaugh | May |
| Cherry | Mayfield |
| Chyung | McNamara |
| Clere | Miller |
| Cook | Moed |
| Davisson | Morris |
| Deal | Morrison |
| DeLaney | Moseley |
| DeVon | Negele |
| Dvorak | Nisly |
| Eberhart | Pfaff |
| Ellington | Pierce |
| Engleman <input type="checkbox"/> | Porter |
| Errington | Prescott |
| Fleming | Pressel |
| Forestal | Pryor |
| Frizzell | Saunders |
| Frye | Schaibley |
| GiaQuinta | Shackleford |
| Goodin | Smaltz |
| Goodrich | V. Smith <input type="checkbox"/> |
| Gutwein <input type="checkbox"/> | Soliday |
| Hamilton | Speedy <input type="checkbox"/> |
| Harris | Steuerwald |
| Hatcher | Stutzman |
| Hatfield | Sullivan |
| Heaton | Summers |
| Heine | Thompson |
| Hostettler | Torr |

VanNatter
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 335: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 26, 2019, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 119, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-7-18-2, AS AMENDED BY P.L.128-2015, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. **(a) Except as provided in subsection (b) and** as provided in 52 U.S.C. 20506(a)(4)(A)(i) and 52 U.S.C. 20506(a)(6)(A), an agency designated under IC 3-7-19 (board of registration offices), IC 3-7-20.5 (unemployment compensation offices **and law enforcement offices**), and IC 3-7-21 (additional designated voter registration offices) shall distribute a voter registration form prescribed under this chapter to each person applying for assistance from the agency whenever the applicant:

- (1) applies for service or assistance;
- (2) applies for recertification or renewal of services or assistance; or
- (3) submits a change of address form relating to the service or assistance;

unless the applicant declines in writing to register to vote.

(b) A law enforcement agency is not required to distribute the voter registration form described under subsection (a) unless a person is applying for a license to carry a handgun under IC 35-47-2-3.

SECTION 2. IC 3-7-20.5-1, AS AMENDED BY P.L.128-2015, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. Each office of the department of employment and training services that provides assistance or services concerning unemployment compensation following locations is designated as a voter registration office under 52 U.S.C. 20506:

- (1) Each office of the department of employment and training services that provides assistance or services concerning unemployment compensation.
- (2) Each office affiliated with the Indiana state police.
- (3) Each office affiliated with the sheriff of a county.

- (4) Each office affiliated with a municipal law enforcement agency.

SECTION 3. IC 3-7-20.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. For purposes of this chapter, the executive director of the department of employment and training services is the following persons shall act as a "governing body" under IC 3-7-18:

- (1) The executive director of the department of employment and training services.
- (2) The superintendent of state police.
- (3) The sheriff of a county.
- (4) The chief of police or comparable law enforcement officer for a municipal law enforcement agency.

SECTION 4. IC 3-7-24-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.5. (a) An organization or entity that sells a hunting, fishing, or trapping license described under IC 14-22 shall be designated as a distribution site for registration by mail forms.

(b) The NVRA official may enter into an agreement on behalf of the commission with the board of trustees or comparable executive authority for an organization or entity described in subsection (a) to designate the organization or entity described in subsection (a) as a distribution site for registration by mail forms under this section.

SECTION 5. IC 14-8-2-236.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 236.5. "Registration by mail form" means the mail voter registration application form as described under IC 3-7-22.

SECTION 6. IC 14-22-11-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.5. (a) Except as otherwise provided, the issuance of any license described in this chapter shall be accompanied by a registration by mail form.

(b) A person provided with a registration by mail form under this section may refuse receipt of the registration by mail form. The issuance of a license described under this chapter may not be contingent upon a person:

- (1) accepting the registration by mail form described in subsection (a); or
- (2) registering to vote.

SECTION 8. IC 35-47-2-3, AS AMENDED BY P.L.86-2018, SECTION 335, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) A person desiring a license to carry a handgun shall apply:

- (1) to the chief of police or corresponding law enforcement officer of the municipality in which the applicant resides;
- (2) if that municipality has no such officer, or if the applicant does not reside in a municipality, to the sheriff of the county in which the applicant resides after the applicant has obtained an application form prescribed by the superintendent; or
- (3) if the applicant is a resident of another state and has a regular place of business or employment in Indiana, to the sheriff of the county in which the applicant has a regular place of business or employment.

The superintendent and local law enforcement agencies shall allow an applicant desiring to obtain or renew a license to carry a handgun to submit an application electronically under this chapter if funds are available to establish and maintain an electronic application system.

(b) The law enforcement agency which accepts an application for a handgun license shall **not collect a fee from a person applying for a five (5) year handgun license and shall collect the following application fees:**

- (1) **From a person applying for a four (4) year handgun license, a ten dollar (\$10) application fee, five dollars (\$5)**

of which shall be refunded if the license is not issued:

~~(2)~~ (1) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar (\$50) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.

~~(3)~~ (2) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar (\$40) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.

Except as provided in subsection (h), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(c) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's reason for desiring a license. **If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the applicant's country of citizenship, place of birth, and any alien or admission number issued by United States Immigration and Customs Enforcement or any successor agency as applicable.** The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. **An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.**

(d) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

(e) If it appears to the superintendent that the applicant:

- (1) has a proper reason for carrying a handgun;
- (2) is of good character and reputation;
- (3) is a proper person to be licensed; and
- (4) is:

(A) a citizen of the United States; or

(B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law; the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the

application for license was made. A copy shall be retained by the superintendent for at least ~~four (4)~~ **five (5)** years in the case of a ~~four (4)~~ **five (5)** year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A ~~four (4)~~ **five (5)** year license shall be valid for a period of ~~four (4)~~ **five (5)** years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

(f) At the time a license is issued and delivered to a licensee under subsection (e), the superintendent shall include with the license information concerning handgun safety rules that:

- (1) neither opposes nor supports an individual's right to bear arms; and
- (2) is:
 - (A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;
 - (B) prepared by the state police department; and
 - (C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

(g) A license to carry a handgun shall not be issued to any person who:

- (1) has been convicted of a felony;
- (2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;
- (3) is under eighteen (18) years of age;
- (4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; ~~or~~
- (5) has been arrested for a Class A or Class B felony for an offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged; **or**
- (6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g).**

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter.

(h) If the law enforcement agency that charges a fee under subsection (b) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

(i) If a person who holds a valid license to carry a handgun issued under this chapter:

- (1) changes the person's name;
- (2) changes the person's address; or
- (3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under

subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

(j) The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection (i).

(k) The state police department shall adopt rules under IC 4-22-2 to:

- (1) implement an electronic application system under subsection (a); and
- (2) expedite the processing of an application made by a person described in section 2.1(b) of this chapter.

Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

(l) Except as provided in subsection (m), for purposes of IC 5-14-3-4(a)(1), the following information is confidential, may not be published, and is not open to public inspection:

(1) Information submitted by a person under this section to:

- (A) obtain; or
- (B) renew;

a license to carry a handgun.

(2) Information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to:

- (A) obtain; or
- (B) renew;

a license to carry a handgun issued under this chapter.

(3) The name, address, and any other information that may be used to identify a person who holds a license to carry a handgun issued under this chapter.

(m) Notwithstanding subsection (l):

(1) any information concerning an applicant for or a person who holds a license to carry a handgun issued under this chapter may be released to a federal, state, or local government entity:

- (A) for law enforcement purposes; or
- (B) to determine the validity of a license to carry a handgun; and

(2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research, but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun issued under this chapter has been removed from the general information.

(n) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 9. IC 35-47-2-4, AS AMENDED BY P.L.17-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Licenses to carry handguns shall be either qualified or unlimited, and are valid for:

- (1) ~~four (4)~~ **five (5)** years from the date of issue in the case of a ~~four (4)~~ **five (5)** year license; or
- (2) the life of the individual receiving the license in the case of a lifetime license.

A qualified license shall be issued for hunting and target practice. **An individual may separately apply for and simultaneously hold both a five (5) year license and a lifetime license.** The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) **This subsection applies before July 1, 2020.** In addition to the application fee, the fee for:

- (1) a qualified license shall be:
 - (A) five dollars (\$5) for a ~~four (4)~~ **five (5)** year qualified license;
 - (B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; or
 - (C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and
- (2) an unlimited license shall be:
 - (A) thirty dollars (\$30) for a ~~four (4)~~ **five (5)** year unlimited license;
 - (B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; or
 - (C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection ~~(f)~~ **(g)**.

(c) This subsection applies after June 30, 2020. In addition to the application fee, the fee for:

- (1) a qualified license is:**
 - (A) zero dollars (\$0) for a five (5) year qualified license;**
 - (B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; and**
 - (C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and**
- (2) an unlimited license is:**
 - (A) zero dollars (\$0) for a five (5) year unlimited license;**
 - (B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; and**
 - (C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.**

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (g).

~~(c)~~ **(d)** Licensed dealers are exempt from the payment of fees specified in ~~subsection subsections (b) and (c)~~ for a qualified license or an unlimited license.

~~(d)~~ **(e)** The following officers of this state or the United States who have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in ~~subsection subsections (b) and (c)~~:

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers.
- (4) Correctional officers.

~~(e)~~ **(f)** The following officers described in section 3(e) of this chapter who have at least twenty (20) years of service are exempt from the payment of fees for a lifetime qualified license or a lifetime unlimited license specified in ~~subsection subsections (b) and (c)~~:

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers of the United States government.

~~(f)~~ **(g)** Fees collected under this section shall be deposited in the state general fund.

~~(g)~~ **(h)** The superintendent may not issue a lifetime qualified

license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a ~~four (4)~~ **five (5)** year qualified license or a ~~four (4)~~ **five (5)** year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

~~(h)~~ **(i)** A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

(j) If the Bureau of Alcohol, Tobacco, Firearms and Explosives certifies the five (5) year license described under this section as a valid National Instant Criminal Background Check System (NICS) compliant background check for firearm purchases:

- (1) a five (5) year license issued under this section must conspicuously display the term "Brady Exempt"; and**
- (2) a person bearing a valid license described in subdivision (1) is exempt from undergoing a:**

(A) state; or

(B) federal;

background check when purchasing a firearm."

Page 1, line 17, delete ":".

Page 2, line 1, delete "(1)".

Page 2, line 1, reset in roman "or".

Page 2, line 1, after "weapon" insert "machine gun".

Page 2, line 2, delete "; or" and insert ".".

Page 2, delete lines 3 through 4.

Page 1, run in line 17 through page 2, line 5.

Page 2, line 7, delete "twenty-one (21)" and insert "eighteen (18)".

Page 2, line 11, delete "twenty-one (21)" and insert "eighteen (18)".

Page 3, after line 6, begin a new paragraph and insert:

"SECTION 10. IC 35-47-9-1, AS AMENDED BY P.L.157-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) This chapter does not apply to the following:

(1) A:

(A) federal;

(B) state; or

(C) local;

law enforcement officer.

(2) A person who may legally possess a firearm and who has been authorized by:

(A) a school board (as defined by IC 20-26-9-4); or

(B) the body that administers a charter school established under IC 20-24;

to carry a firearm in or on school property.

(3) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses the firearm in a motor vehicle.

(4) A person who is a school resource officer, as defined in IC 20-26-18.2-1.

(5) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses only a firearm that is:

(i) locked in the trunk of the person's motor vehicle;

(ii) kept in the glove compartment of the person's locked motor vehicle; or

(iii) stored out of plain sight in the person's locked motor vehicle.

(6) A person who:

(A) may legally possess a firearm; and

(B) possesses a firearm on school property in connection with or while:

(i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or

(ii) carrying out the person's official duties at a

house of worship located on the school property, if the person is employed by or a volunteer at the house of worship.

This subdivision does not affect the right of a property owner to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located.

(b) For purposes of subsection (a)(3) and (a)(5), a person does not include a person who is:

(1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or
(2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

(c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle does not include a motor vehicle owned, leased, or controlled by a school or school district unless the person who possesses the firearm is authorized by the school or school district to possess a firearm."

Renumber all SECTIONS consecutively.

(Reference is to SB 119 Digest Correction as printed February 1, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

Smaltz, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 216, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 36, after "forces" insert "**of the United States**".

Page 11, line 22, delete "fail" and insert "**fails**".

(Reference is to SB 216 as printed February 1, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 350, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 9, after "damages" insert "**to the state of Indiana**".

(Reference is to SB 350 as printed February 5, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 373, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 29 and 30, begin a new line block indented and insert:

"(3) A provision that a student who attends religious instruction under this section shall first seek to use a time period during a student instructional day (as defined in IC 20-30-2-2) that is not devoted to student instructional time to attend religious instruction. If a student is not able to attend religious instruction at a time other than during student instructional time, the student may not be released to attend religious instruction for an amount of time per week that exceeds the amount established in subsection (b)."

(Reference is to SB 373 as printed February 22, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 3.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 529, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Page 1, line 1, delete "IC 14-24-8-0.5" and insert "IC 36-1-28".

Page 1, line 2, delete "SECTION" and insert "CHAPTER".

Page 1, line 3, delete "Sec. 0.5.", begin a new paragraph and insert:

"Chapter 28. Ordinances that Affect Agriculture Sec. 1."

Page 1, line 4, delete "(as defined in IC 36-1-2-23)".

Page 1, line 5, delete "shall" and insert "**may**".

Page 1, line 6, delete "prohibiting the establishment or" and insert "**that prohibits a person from beekeeping on property that the person owns, rents, or leases.**

(b) A unit may adopt an ordinance, rule, regulation, or resolution that regulates beekeeping:

(1) concerning the number of active bee hives a person may operate and the location of bee hives on the property; and

(2) that conforms to standards established by the Apiary Inspectors of America.

Sec. 2. (a) Except as provided in subsection (b), a unit may not adopt or continue in effect an ordinance, rule, regulation, or resolution that prohibits a person from raising chickens on property that the person owns, rents, or leases.

(b) A unit may adopt an ordinance, rule, regulation, or resolution that regulates chickens concerning the number of chickens a person may own and the location of chicken housing on the property.

Sec. 3. (a) This section does not apply to a composting facility subject to IC 13-20-10.

(b) Except as provided in subsection (c), a unit may not adopt or continue in effect an ordinance, rule, regulation, or resolution that prohibits a person from composting vegetative matter and other types of organic material that are generated by the person's activities on property that the person owns, rents, or leases.

(c) A unit may adopt an ordinance, rule, regulation, or resolution that regulates composting vegetative matter and other types of organic material that are generated by the person's activities concerning the maximum composting area a person may operate and the location of the composting on the property."

Page 1, delete lines 7 through 10.

(Reference is to SB 529 as printed February 19, 2019.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 533, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 533 as reprinted February 22, 2019.)

Committee Vote: Yeas 11, Nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 570, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, delete lines 2 through 20, begin a new paragraph and insert:

"(c) A county election board may adopt a resolution by the unanimous vote of the entire membership of the county election board to use an alternative electronic poll book delivery protocol instead of using seals under subsection (b). A resolution under this subsection must set forth the following information:

(1) The method to be used to ensure that an electronic poll book is not accessed, modified, or tampered with after the electronic poll book is transferred by the county election board to the inspector or the inspector's authorized representative for delivery.

(2) The method for a precinct election board or vote center officers to determine and document on behalf of the county election board that each electronic poll book was successfully secured against improper access, modification, or tampering before delivery to the polling place or vote center.

Before any electronic poll book is delivered to a polling place or vote center, the resolution must be filed with the election division."

Page 12, line 4, delete "UPON PASSAGE" and insert "JULY 1, 2019".

Page 13, line 29, delete "UPON PASSAGE" and insert "JULY 1, 2019".

Page 13, delete lines 37 through 42.

Page 14, delete line 1.

Page 15, delete lines 4 through 13.

Page 15, line 16, delete "UPON PASSAGE" and insert "JULY 1, 2019".

Page 25, line 16, strike "describing the" and insert **"in accordance with IC 3-11-17-7."**

Page 25, strike line 17.

Page 25, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 30. IC 5-14-3-4, AS AMENDED BY P.L.197-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The following public records are excepted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

(1) Those declared confidential by state statute.

(2) Those declared confidential by rule adopted by a

public agency under specific authority to classify public records as confidential granted to the public agency by statute.

(3) Those required to be kept confidential by federal law.

(4) Records containing trade secrets.

(5) Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by a public agency pursuant to state statute.

(6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:

(A) concerning any negotiations made with respect to the research; and

(B) received from another party involved in the research.

(7) Grade transcripts and license examination scores obtained as part of a licensure process.

(8) Those declared confidential by or under rules adopted by the supreme court of Indiana.

(9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.

(10) Application information declared confidential by the Indiana economic development corporation under IC 5-28-16.

(11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.

(12) A Social Security number contained in the records of a public agency.

(13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:

(A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).

(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).

(14) The following information obtained from a call made to a fraud hotline established under IC 36-1-8-8.5:

(A) The identity of any individual who makes a call to the fraud hotline.

(B) A report, transcript, audio recording, or other information concerning a call to the fraud hotline.

However, records described in this subdivision may be disclosed to a law enforcement agency, a private university police department, the attorney general, the inspector general, the state examiner, or a prosecuting attorney.

(b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:

(1) Investigatory records of law enforcement agencies or private university police departments. For purposes of this chapter, a law enforcement recording is not an investigatory record. Law enforcement agencies or private university police departments may share investigatory records with a person who advocates on behalf of a crime victim, including a victim advocate (as defined in IC 35-37-6-3.5) or a victim service provider (as defined in IC 35-37-6-5), for the purposes of providing services to a victim or describing services that may be available to a victim, without the law enforcement agency or private university police department losing its discretion to keep those records confidential from other records requesters. However, certain law enforcement records must be made available for inspection and copying as provided in section 5 of this chapter.

(2) The work product of an attorney representing, pursuant to state employment or an appointment by a public

agency:

- (A) a public agency;
 - (B) the state; or
 - (C) an individual.
- (3) Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.
- (4) Scores of tests if the person is identified by name and has not consented to the release of the person's scores.
- (5) The following:
- (A) Records relating to negotiations between:
 - (i) the Indiana economic development corporation;
 - (ii) the ports of Indiana;
 - (iii) the Indiana state department of agriculture;
 - (iv) the Indiana finance authority;
 - (v) an economic development commission;
 - (vi) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; or
 - (vii) a governing body of a political subdivision;
 with industrial, research, or commercial prospects, if the records are created while negotiations are in progress. However, this clause does not apply to records regarding research that is prohibited under IC 16-34.5-1-2 or any other law.
 - (B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.
 - (C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.
 - (D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana economic development corporation execute the incentive agreement regardless of whether negotiations are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.
- (6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.
- (7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.
- (8) Personnel files of public employees and files of applicants for public employment, except for:
- (A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;
 - (B) information relating to the status of any formal charges against the employee; and
 - (C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the

- employee being suspended, demoted, or discharged. However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.
- (9) Minutes or records of hospital medical staff meetings.
- (10) Administrative or technical information that would jeopardize a record keeping, **voting system, voter registration system**, or security system.
- (11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.
- (12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).
- (13) The work product of the legislative services agency under personnel rules approved by the legislative council.
- (14) The work product of individual members and the partisan staffs of the general assembly.
- (15) The identity of a donor of a gift made to a public agency if:
 - (A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or
 - (B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.
- (16) Library or archival records:
 - (A) which can be used to identify any library patron; or
 - (B) deposited with or acquired by a library upon a condition that the records be disclosed only:
 - (i) to qualified researchers;
 - (ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or
 - (iii) after the death of persons specified at the time of the acquisition or deposit.
 However, nothing in this subdivision shall limit or affect contracts entered into by the Indiana state library pursuant to IC 4-1-6-8.
- (17) The identity of any person who contacts the bureau of motor vehicles concerning the ability of a driver to operate a motor vehicle safely and the medical records and evaluations made by the bureau of motor vehicles staff or members of the driver licensing medical advisory board regarding the ability of a driver to operate a motor vehicle safely. However, upon written request to the commissioner of the bureau of motor vehicles, the driver must be given copies of the driver's medical records and evaluations.
- (18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.
- (19) A record or a part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack. A record described under this subdivision includes the following:
 - (A) A record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 or an act of agricultural terrorism under IC 35-47-12-2.
 - (B) Vulnerability assessments.
 - (C) Risk planning documents.
 - (D) Needs assessments.
 - (E) Threat assessments.
 - (F) Intelligence assessments.
 - (G) Domestic preparedness strategies.

(H) The location of community drinking water wells and surface water intakes.

(I) The emergency contact information of emergency responders and volunteers.

(J) Infrastructure records that disclose the configuration of critical systems such as **voting system and voter registration system critical infrastructure**, communication, electrical, ventilation, water, and wastewater systems.

(K) Detailed drawings or specifications of structural elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form, of any building or facility located on an airport (as defined in IC 8-21-1-1) that is owned, occupied, leased, or maintained by a public agency, or any part of a law enforcement recording that captures information about airport security procedures, areas, or systems. A record described in this clause may not be released for public inspection by any public agency without the prior approval of the public agency that owns, occupies, leases, or maintains the airport. Both of the following apply to the public agency that owns, occupies, leases, or maintains the airport:

(i) The public agency is responsible for determining whether the public disclosure of a record or a part of a record, including a law enforcement recording, has a reasonable likelihood of threatening public safety by exposing a security procedure, area, system, or vulnerability to terrorist attack.

(ii) The public agency must identify a record described under item (i) and clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(J) without approval of (insert name of submitting public agency)". However, in the case of a law enforcement recording, the public agency must clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(K) without approval of (insert name of the public agency that owns, occupies, leases, or maintains the airport)".

(L) The home address, home telephone number, and emergency contact information for any:

- (i) emergency management worker (as defined in IC 10-14-3-3);
- (ii) public safety officer (as defined in IC 35-47-4.5-3);
- (iii) emergency medical responder (as defined in IC 16-18-2-109.8); or
- (iv) advanced emergency medical technician (as defined in IC 16-18-2-6.5).

This subdivision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism under IC 35-47-12-1 or an act of agricultural terrorism under IC 35-47-12-2 has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.

(20) The following personal information concerning a customer of a municipally owned utility (as defined in IC 8-1-2-1):

- (A) Telephone number.
- (B) Address.
- (C) Social Security number.

(21) The following personal information about a complainant contained in records of a law enforcement agency:

- (A) Telephone number.
- (B) The complainant's address. However, if the

complainant's address is the location of the suspected crime, infraction, accident, or complaint reported, the address shall be made available for public inspection and copying.

(22) Notwithstanding subdivision (8)(A), the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first employment of a law enforcement officer who is operating in an undercover capacity.

(23) Records requested by an offender that:

(A) contain personal information relating to:

- (i) a correctional officer (as defined in IC 5-10-10-1.5);
- (ii) a law enforcement officer (as defined in IC 35-31.5-2-185);
- (iii) a judge (as defined in IC 33-38-12-3);
- (iv) the victim of a crime; or
- (v) a family member of a correctional officer, law enforcement officer (as defined in IC 35-31.5-2-185), judge (as defined in IC 33-38-12-3), or victim of a crime; or

(B) concern or could affect the security of a jail or correctional facility.

(24) Information concerning an individual less than eighteen (18) years of age who participates in a conference, meeting, program, or activity conducted or supervised by a state educational institution, including the following information regarding the individual or the individual's parent or guardian:

- (A) Name.
- (B) Address.
- (C) Telephone number.
- (D) Electronic mail account address.

(25) Criminal intelligence information.

(26) The following information contained in a report of unclaimed property under IC 32-34-1-26 or in a claim for unclaimed property under IC 32-34-1-36:

- (A) Date of birth.
- (B) Driver's license number.
- (C) Taxpayer identification number.
- (D) Employer identification number.
- (E) Account number.

(27) Except as provided in subdivision (19) and sections 5.1 and 5.2 of this chapter, a law enforcement recording. However, before disclosing the recording, the public agency must comply with the obscuring requirements of sections 5.1 and 5.2 of this chapter, if applicable.

(28) Records relating to negotiations between a state educational institution and another entity concerning the establishment of a collaborative relationship or venture to advance the research, engagement, or educational mission of the state educational institution, if the records are created while negotiations are in progress. The terms of the final offer of public financial resources communicated by the state educational institution to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated. However, this subdivision does not apply to records regarding research prohibited under IC 16-34.5-1-2 or any other law.

(c) Nothing contained in subsection (b) shall limit or affect the right of a person to inspect and copy a public record required or directed to be made by any statute or by any rule of a public agency.

(d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning an adoption or patient medical records, shall be made available for inspection and copying seventy-five (75) years after the creation

of that record.

(e) Only the content of a public record may form the basis for the adoption by any public agency of a rule or procedure creating an exception from disclosure under this section.

(f) Except as provided by law, a public agency may not adopt a rule or procedure that creates an exception from disclosure under this section based upon whether a public record is stored or accessed using paper, electronic media, magnetic media, optical media, or other information storage technology.

(g) Except as provided by law, a public agency may not adopt a rule or procedure nor impose any costs or liabilities that impede or restrict the reproduction or dissemination of any public record.

(h) Notwithstanding subsection (d) and section 7 of this chapter:

(1) public records subject to IC 5-15 may be destroyed only in accordance with record retention schedules under IC 5-15; or

(2) public records not subject to IC 5-15 may be destroyed in the ordinary course of business."

Renumber all SECTIONS consecutively.

(Reference is to SB 570 as reprinted February 20, 2019.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

Wesco, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Resolution 30

Representative Beck introduced House Resolution 30:

A HOUSE RESOLUTION urging that public agencies use only American steel for public works projects.

Whereas, A strong domestic steel industry is vital to the American and Indiana economies and for national security;

Whereas, Steel is essential for construction, manufacturing, transportation, and consumer products used in the U.S. and around the world;

Whereas, Steel is valued for its strength, but is also considered the most recycled material in the world according to the U.S. Department of Energy and the Steel Recycling Institute;

Whereas, Indiana ranked No. 1 nationally in steel production and produced 27 percent of the nation's steel in 2017, according to the American Iron and Steel Institute;

Whereas, Indiana employs more than 20,000 steelworkers throughout the state;

Whereas, The purchase of Indiana and American steel supports Hoosier jobs and the Hoosier economy; and

Whereas, Public agencies across Indiana are encouraged to consider and use American steel in all public works projects: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives encourages public agencies to use American steel for all public works projects.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Indiana State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 36

Representatives Schaibley, Thompson and T. Brown introduced House Concurrent Resolution 36:

A CONCURRENT RESOLUTION memorializing Boone County Sheriff's Deputy Jacob M. Pickett.

Whereas, Boone County Sheriff's Deputy Jacob M. Pickett was born in Columbus, Ohio, to Marlin and Rebecca Pickett on December 20, 1983;

Whereas, Deputy Pickett grew up with a passion for public safety and pursued a career in law enforcement after graduating from Brownsburg High School;

Whereas, Deputy Pickett graduated from the Marion County Sheriff's Office Training Academy in 2010. He displayed a passion for law enforcement and a devotion to public safety that earned him the recognition of his peers, and he received the County Correctional Officer of the Year Award in 2012 and the Sheriff's Jail Deputy of the Year Award in 2013;

Whereas, Deputy Pickett moved to the Tipton County Sheriff's Department in 2013 and graduated from the Indiana Law Enforcement Academy in 2014 with class 202 as a pistol expert;

Whereas, Deputy Pickett continued to build upon his skills as a law enforcement officer and in 2015 joined the Boone County Sheriff's Department, where he earned recognition as a Taser instructor, K-9 team leader, K-9 handler, and a member of the Fraternal Order of Police #110;

Whereas, Deputy Pickett and his K-9 partner, Brik, were in pursuit of a suspect on foot when Deputy Pickett was fatally shot in the line of duty. He passed away on March 5, 2018;

Whereas, Deputy Pickett chose, in death as he had done so passionately in life, to help those in need as an organ donor; and

Whereas, Deputy Pickett was a selfless and devoted husband, father, son, and public safety officer who will be missed: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors the memory of Boone County Sheriff's Deputy Jacob M. Pickett for protecting the lives of all Hoosiers.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the family of Boone County Sheriff's Deputy Jacob M. Pickett.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Boots, J.D. Ford, and Buchanan.

[Journal Clerk's Note: the Speaker requested a moment of silence for the passing of Boone County Sheriff's Deputy Jacob M. Pickett.]

Senate Concurrent Resolution 35

The Speaker handed down Senate Concurrent Resolution 35, sponsored by Representative Lehe:

A CONCURRENT RESOLUTION recognizing the 100th anniversary of Indiana Farm Bureau.

Whereas, Indiana Farm Bureau was founded on March 25, 1919, in Indianapolis;

Whereas, Since its inception, Indiana Farm Bureau has worked to promote agriculture through public education,

member engagement, and advocacy for agricultural and rural needs;

Whereas, Indiana Farm Bureau has a presence in all 92 counties and represents the interests of a variety of farmers, agribusiness professionals, and rural citizens across the state;

Whereas, Indiana Farm Bureau created farmer cooperatives for purchases of inputs such as seed, fertilizer, feed, petroleum products, and farm equipment, and for the marketing of livestock, dairy, and grain, which led to the economic success and growth of farms and rural Indiana;

Whereas, In an effort to meet the insurance needs of Indiana farmers, Indiana Farm Bureau organized a mutual insurance company in 1934, which is now the largest farm insurance company in Indiana;

Whereas, Indiana Farm Bureau's grassroots advocacy and presence at the Indiana Statehouse and county courthouses have allowed farmers to engage in the civic process of public policy development and implementation;

Whereas, Indiana Farm Bureau has become the voice for agriculture in Indiana; and

Whereas, In 2019, Indiana Farm Bureau celebrates its centennial, honoring the dedication and hard work of Hoosier farmers throughout the state: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes the 100th anniversary of Indiana Farm Bureau.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Katrina Hall, Indiana Farm Bureau Director of Public Policy, and Justin Schneider, Indiana Farm Bureau Director of State Government Relations.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 48

The Speaker handed down Senate Concurrent Resolution 48, sponsored by Representative Wolkins:

A CONCURRENT RESOLUTION congratulating the Emmanuel Christian School volleyball team on winning the 2018 Indiana Association of Christian Schools ("IACS") Division II state championship title.

Whereas, The Emmanuel Christian School Eagles volleyball team defeated Grace Baptist Academy to win the 2018 IACS Division II state championship;

Whereas, Never dropping a set in tournament play, Emmanuel Christian defeated Fishers Christian Academy, Cornerstone Baptist Academy, Emmanuel Baptist Academy, and Grace Baptist Christian School in round robin play;

Whereas, Facing off against Grace Baptist Christian School in the championship match, the Eagles swept Grace Baptist in three sets to secure Emmanuel Christian's third straight state championship title in volleyball;

Whereas, Ellie Daniel and Ruth Niccum led the Eagles in serve points, and Zoey McKnight had the most kills for Emmanuel Christian during the tournament; and

Whereas, Jaedan Younce, Zoey McKnight, and Ruth Niccum made the IACS all-tournament team: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Emmanuel Christian School volleyball team on winning the 2018 Indiana Association of Christian Schools ("IACS") Division II state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Emmanuel Christian School volleyball team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 49

The Speaker handed down Senate Concurrent Resolution 49, sponsored by Representative Wolkins:

A CONCURRENT RESOLUTION congratulating the Emmanuel Christian School boys basketball team on winning the 2019 Indiana Association of Christian Schools ("IACS") Division II state championship title.

Whereas, The Emmanuel Christian School boys basketball team defeated Cornerstone Baptist Academy 75-63 to win the 2019 IACS Division II state championship;

Whereas, To get to the championship game, Emmanuel Christian first defeated Heritage Hall Christian School 58-20, with juniors Preston Ritzema, J.C. Frank, and Jack Niccum contributing 14, 12, and 10 points, respectively, to the semi-final win;

Whereas, At the end of the first quarter of the championship game, Emmanuel Christian led 20-17, but in the second quarter after Cornerstone took a 12-point lead, Emmanuel Christian went on a 15-0 scoring run to end the first half 41-37;

Whereas, Emmanuel Christian outscored Cornerstone in the second half 34-26 to cruise to the championship win;

Whereas, Junior Preston Ritzema led Emmanuel Christian with 20 points, with freshman Riley Miller and junior J.C. Frank scoring 19 and 18 points, respectively; and

Whereas, Led by head coach Jeff Miller, Emmanuel Christian School won its fifth straight state championship title in boys basketball and finished the season with a 14-8 record: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Emmanuel Christian School boys basketball team on winning the 2019 IACS Division II state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Emmanuel Christian School boys basketball team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 51

The Speaker handed down Senate Concurrent Resolution 51, sponsored by Representative Lehe:

A CONCURRENT RESOLUTION congratulating the Pioneer High School softball team on winning the 2018 Indiana High School Athletic Association ("IHSAA") Class A state championship title.

Whereas, The Pioneer High School softball team won the 2018 IHSAA Class -A state championship title over North Central (Farmersburg) with a score of 10-1;

Whereas, To advance to the state championship game, the Panthers defeated Northfield, South Newton, and North Miami to win the sectional championship, Washington Township to win the regional championship, and Fremont and Frontier to win the semi-state championship;

Whereas, Senior Alyssa Shaw set the tone in the top of the first inning with a two-run home run that sailed well over the 210-foot sign in left field;

Whereas, After North Central scored in the bottom of the first inning, Pioneer scored another five runs in the top of the second inning, and added three more runs in the sixth inning to secure the championship title;

Whereas, Freshman Hailey Gotshall pitched a complete game for the Panthers, allowing one run on three hits and four walks with seven strikeouts;

Whereas, Alyssa Shaw finished the game with three hits, two RBIs, and a run, and freshman Madison Blickenstaff, junior Alexis Robinson, and Hailey Gotshall each had two hits, two runs, and an RBI;

Whereas, After the championship game, Alyssa Shaw was named the Class A Mental Attitude Award winner for Class A softball; and

Whereas, Led by first-year head coach Gabrielle Thomas, Pioneer finished the season with a 32-3 record to earn the school's first state championship title in softball: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Pioneer High School softball team on winning the 2018 IHSAA Class A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Pioneer High School softball team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 228, 375, 416, 424, 488 and 632.

Representative Cherry, who had been present, is now excused.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 2

Representative Manning called down Engrossed Senate Bill 2 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 36: yeas 88, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Lyness, who had been present, is now excused.

Engrossed Senate Bill 170

Representative Ziemke called down Engrossed Senate Bill 170 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 337: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:37 p.m. with the Speaker in the Chair.

Representatives Cherry, Gutwein, Lyness and Speedy, who had been excused, are now present.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 198

Representative Pressel called down Engrossed Senate Bill 198 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 198-1)

Mr. Speaker: I move that Engrossed Senate Bill 198 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 35-38-1-7.1, AS AMENDED BY P.L.213-2015, SECTION 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7.1. (a) In determining what sentence to impose for a crime, the court may consider the following aggravating circumstances:

(1) The harm, injury, loss, or damage suffered by the victim of an offense was:

(A) significant; and

(B) greater than the elements necessary to prove the commission of the offense.

(2) The person has a history of criminal or delinquent behavior.

(3) The victim of the offense was less than twelve (12) years of age or at least sixty-five (65) years of age at the time the person committed the offense.

(4) The person:

(A) committed a crime of violence (IC 35-50-1-2); and
(B) knowingly committed the offense in the presence or within hearing of an individual who:

(i) was less than eighteen (18) years of age at the time the person committed the offense; and

(ii) is not the victim of the offense.

(5) The person violated a protective order issued against the person under IC 34-26-5 (or IC 31-1-11.5, IC 34-26-2, or IC 34-4-5.1 before their repeal), a workplace violence restraining order issued against the person under IC 34-26-6, or a no contact order issued against the person.

(6) The person has recently violated the conditions of any probation, parole, pardon, community corrections placement, or pretrial release granted to the person.

(7) The victim of the offense was:

(A) a person with a disability (as defined in IC 27-7-6-12), and the defendant knew or should have known that the victim was a person with a disability; or

(B) mentally or physically infirm.

(8) The person was in a position having care, custody, or control of the victim of the offense.

(9) The injury to or death of the victim of the offense was the result of shaken baby syndrome (as defined in IC 16-41-40-2).

(10) The person threatened to harm the victim of the offense or a witness if the victim or witness told anyone about the offense.

(11) The person:

(A) committed trafficking with an inmate under IC 35-44.1-3-5; and

(B) is an employee of the penal facility.

(12) The person committed the offense with bias due to the victim's or the group's real or perceived characteristic, trait, belief, practice, association, or other attribute the court chooses to consider, including but not limited to an attribute described in IC 10-13-3-1.

(b) The court may consider the following factors as mitigating circumstances or as favoring suspending the sentence and imposing probation:

(1) The crime neither caused nor threatened serious harm to persons or property, or the person did not contemplate that it would do so.

(2) The crime was the result of circumstances unlikely to recur.

(3) The victim of the crime induced or facilitated the offense.

(4) There are substantial grounds tending to excuse or justify the crime, though failing to establish a defense.

(5) The person acted under strong provocation.

(6) The person has no history of delinquency or criminal activity, or the person has led a law-abiding life for a substantial period before commission of the crime.

(7) The person is likely to respond affirmatively to probation or short term imprisonment.

(8) The character and attitudes of the person indicate that the person is unlikely to commit another crime.

(9) The person has made or will make restitution to the victim of the crime for the injury, damage, or loss sustained.

(10) Imprisonment of the person will result in undue hardship to the person or the dependents of the person.

(11) The person was convicted of a crime involving the use of force against a person who had repeatedly inflicted physical or sexual abuse upon the convicted person and evidence shows that the convicted person suffered from the effects of battery as a result of the past course of conduct of the individual who is the victim of the crime for which the person was convicted.

(12) The person was convicted of a crime relating to a controlled substance and the person's arrest or prosecution was facilitated in part because the person:

(A) requested emergency medical assistance; or

(B) acted in concert with another person who requested emergency medical assistance;

for an individual who reasonably appeared to be in need of medical assistance due to the use of alcohol or a controlled substance.

(13) The person has posttraumatic stress disorder, traumatic brain injury, or a postconcussive brain injury.

(c) The criteria listed in subsections (a) and (b) do not limit

the matters that the court may consider in determining the sentence.

(d) A court may impose any sentence that is:

(1) authorized by statute; and

(2) permissible under the Constitution of the State of Indiana;

regardless of the presence or absence of aggravating circumstances or mitigating circumstances.

(e) If a court suspends a sentence and orders probation for a person described in subsection (b)(13), the court may require the person to receive treatment for the person's injuries."

Renumber all SECTIONS consecutively.

(Reference is to ESB 198 as printed March 15, 2019.)

STEUERWALD

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 240

Representative McNamara called down Engrossed Senate Bill 240 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 363

Representative Prescott called down Engrossed Senate Bill 363 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 363-4)

Mr. Speaker: I move that Engrossed Bill 363 be amended to read as follows:

Page 3, delete line 42 and insert: **"person who for money or other consideration:**

(1) offers or advertises to transport an individual;

(2) transports an individual to a location;

(3) offers or advertises to assist, provide direction, or provide advice to an individual; or

(4) assists, provides direction, or provides advice to an individual;

for the purpose of hunting."

Page 4, delete lines 1 through 9.

Page 4, line 21, delete "the following" and insert **"following the"**.

Page 5, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 5. IC 14-22-38-6, AS AMENDED BY P.L.38-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) This section does not apply to hunting guide services (as defined in IC 14-22-15.5-1(c)) provided by a hunting guide (as defined in IC 14-22-15.5-1(a)).

(b) As used in this section, "guide services" means fishing or hunting guide or outfitter services that are offered or provided for money or other consideration. The term includes services by a person who for money or other consideration:

(1) offers or advertises to transport an individual for the purpose of hunting or fishing; and

(2) transports an individual to a location for the purpose of hunting or fishing.

(b) (c) As used in this section, "sell" includes barter, purchases, and offers to sell, barter, or purchase.

(c) (d) As used in this section, "ship" includes transporting, delivering for shipment or transport, and causing to be shipped or transported.

(d) (e) As used in this section, "wild animal" includes the following:

(1) A living or dead wild animal.

(2) A part of a living or dead wild animal.

(e) (f) A person who knowingly or intentionally:

(1) sells or ships wild animals, nests, or eggs; or

(2) provides guide services to take, acquire, receive,

transport, or possess wild animals; that are protected by law and have an aggregate market value of less than five hundred dollars (\$500) commits a Class C misdemeanor.

(f) (g) A person who:

- (1) provides guide services; and
- (2) knowingly or intentionally transports an individual to private property to hunt or fish without the permission or consent of the landowner;

commits a Class A misdemeanor.

(g) (h) A person who knowingly or intentionally:

- (1) sells or ships wild animals, nests, or eggs; or
- (2) provides guide services to take, acquire, receive, transport, or possess wild animals;

that are protected by law and have an aggregate market value of at least five hundred dollars (\$500) but less than five thousand dollars (\$5,000) commits a Level 6 felony.

(h) (i) A person who knowingly or intentionally:

- (1) sells or ships wild animals, nests, or eggs; or
- (2) provides guide services to take, acquire, receive, transport, or possess wild animals; that are protected by law and have an aggregate market value of at least five thousand dollars (\$5,000) commits a Level 5 felony." Page 8, line 11, delete "slopes" and insert "slopes,".

Renumber all SECTIONS consecutively.

(Reference is to ESB 363 Digest Correction as reprinted March 19, 2019.)

EBERHART

Motion prevailed.

HOUSE MOTION (Amendment 363-7)

Mr. Speaker: I move that Engrossed Senate Bill 363 be amended to read as follows:

Page 6, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 6. IC 14-23-4.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 4.5. Old Forest Areas

Sec. 1. As used in this chapter, "timber management" includes any of the following:

- (1) Harvesting timber.
- (2) Planting trees.
- (3) Fertilization.
- (4) Thinning of trees.
- (5) Weeding.

Sec. 2. (a) The department shall, as soon as reasonably possible, issue a rule that identifies and establishes old forest areas in each state forest. In total, the area that is designated as old forest must comprise at least ten percent (10%) of the entire state forest. Each state forest must contain at least one (1) old forest area.

(b) The old forest areas must include the areas designated by the department as back country areas and the trail corridors in the following state forests:

- (1) In Morgan-Monroe and Yellowwood State Forests, at least the two thousand seven hundred (2,700) acres designated in 1981.
- (2) In Clark State Forest, at least the two thousand (2,000) acres designated in 1976.
- (3) In Jackson-Washington State Forest, at least two thousand five hundred forty-four (2,544) acres designated in 1979.
- (4) A corridor of state forest land that is at least one hundred and fifty (150) yards wide containing equal widths of at least seventy-five (75) yards on each side of the Adventure Trail in Harrison-Crawford State Forest.

(5) A corridor of state forest land that is at least one hundred and fifty (150) yards wide containing equal widths of at least seventy-five (75) yards on each side of the Knobstone Trail in Clark State Forest and Jackson-Washington State Forest.

(6) A corridor of state forest land that is at least one hundred and fifty (150) yards wide containing equal widths of at least seventy-five (75) yards on each side of the Tecumseh Trail in Yellowwood State Forest and Morgan-Monroe State Forest.

(c) Wherever possible, the size of an old forest area designated under this section must be at least five hundred (500) acres.

(d) Dedicated state nature preserves already established in state forests may be included in the ten percent (10%) old forest designation.

Sec. 3. The department shall manage old forest areas under this chapter in accordance with the following purposes:

- (1) Ensuring that state forests retain trees of age classes that cover the entire natural lifespans of Indiana's native trees.
- (2) Providing habitat for forest dependent wildlife species.
- (3) Protecting ecologically sensitive, geologically sensitive, or unique areas.
- (4) Protecting water resources.
- (5) Providing the public with recreational opportunities.
- (6) Maintaining and enhancing aesthetic value.
- (7) Providing control areas for purposes of:
 - (A) assessing how forests are responding naturally to stresses; and
 - (B) comparing managed forest stands and unmanaged forest stands over time as to productivity, regeneration, and species richness as a guide to logging in a sustainable manner.

Sec. 4. The department shall not conduct or allow timber management in the old forest areas designated in state forests under this chapter.

Sec. 5. The establishment of an old forest area in a state forest under this chapter may not be construed to affect the following:

- (1) Hunting, fishing, trapping, and the gathering of edible and medicinal plants and mushrooms in the state forests, as permitted by law and administrative rules.
- (2) Recreational uses of the state forests, such as hiking, camping, horseback riding, and mountain biking, as those activities are permitted by law and administrative rules and allowed by state forest management programs.
- (3) The maintenance of access roads, lanes, and trails in the state forests.
- (4) Rights of access in existence on January 1, 2019, through the state forests to private property and cemeteries.
- (5) Methods of monitoring and controlling nonnative invasive species in the state forests other than through the harvesting of timber.
- (6) Providing emergency medical assistance in the state forests.
- (7) Conducting search and rescue operations in the state forests.
- (8) Extinguishing or controlling fires in the state forests."

Renumber all SECTIONS consecutively.

(Reference is to ESB 363 Digest Correction as printed March 19, 2019.)

HAMILTON

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 338: yeas 42, nays 52. Motion failed.

HOUSE MOTION
(Amendment 363-6)

Mr. Speaker: I move that Engrossed Senate Bill 363 be amended to read as follows:

Page 6, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 6. IC 14-23-10.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 10.1. Indiana State Forest Task Force

Sec. 1. As used in this chapter, "task force" refers to the Indiana state forest task force established by section 3 of this chapter.

Sec. 2. (a) As used in this chapter, "nonconsumptive outdoor recreation" means outdoor recreational activity in which the participants do not remove resources from the natural environment.

(b) The term includes the following:

- (1) Bicycle riding.
- (2) Birdwatching and other wildlife viewing.
- (3) Camping.
- (4) Canoeing and kayaking.
- (5) Hiking.
- (6) Outdoor photography.
- (7) Skiing.

Sec. 3. The Indiana state forest task force is established.

Sec. 4. (a) The task force consists of the following members:

(1) Two (2) members of the senate, of whom:

- (A)** one (1) shall be appointed by the president pro tempore; and
- (B)** one (1) shall be appointed by the minority leader.

(2) Two (2) members of the house of representatives, of whom:

- (A)** one (1) shall be appointed by the speaker; and
- (B)** one (1) shall be appointed by the minority leader.

(3) One (1) individual who is a forest ecologist, who shall be appointed by the Indiana Academy of Science.

(4) One (1) representative of the commercial logging industry, who shall be appointed by the governor.

(5) One (1) individual who favors, or represents an organization that favors, the preservation of forests for aesthetic, recreational, environmental, or scientific reasons, or for a combination of these reasons, who shall be appointed by the governor.

(6) One (1) individual who:

- (A)** participates in; or
- (B)** represents an organization that is interested in; hunting, fishing, or both hunting and fishing, who shall be appointed by the governor.

(7) One (1) individual who:

- (A)** participates in; or
- (B)** represents an organization that is interested in; nonconsumptive outdoor recreation, who shall be appointed by the governor.

(8) One (1) individual employed as a forester in the division of forestry of the department, who shall be appointed by the governor.

(9) One (1) representative of the forest products industry, who shall be appointed by the governor.

(10) The director or the director's designee as an ex-officio, non-voting member.

(b) A vacancy in a position established by subsection (a)(1) through (a)(9) shall be filled by the appointment of an individual to the position by the appointing authority that is

indicated in subsection (a) for the position.

Sec. 5. (a) Each member of the task force who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the task force who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the legislative services agency.

(c) A member of the task force who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 6. (a) The legislative council shall appoint one (1) member appointed under section 4(1) or 4(2) of this chapter as chair of the task force.

(b) The task force shall meet at the call of the chair.

Sec. 7. (a) A majority of the members of the task force constitutes a quorum.

(b) The affirmative vote of at least a majority of the members of the task force is necessary for the task force to take official action other than to meet and take testimony.

Sec. 8. All meetings of the task force must be open to the public in accordance with and subject to IC 5-14-1.5. All records of the task force are subject to the requirements of IC 5-14-3.

Sec. 9. The task force shall do the following:

(1) Hold:

- (A)** at least one (1) public meeting in northern Indiana;
- (B)** at least one (1) public meeting in central Indiana; and
- (C)** at least one (1) public meeting in southern Indiana;

to receive testimony and other information from experts in forest policy, hear public comments, and deliberate.

(2) Consider reports issued by other entities concerning state forest matters.

(3) Study the multiple uses of the state forest land that are possible.

(4) Determine the management options that constitute a balanced strategy allowing stakeholders to share the state forest system as a whole in a way that best satisfies the needs of all.

(5) Develop and recommend, in compliance with section 10 of this chapter, a long term plan for the management of the state forests.

(6) Recommend appropriate legislation for the 2021 legislative session based on the actions taken and recommendations made under subdivisions (1) through (5).

(7) Not later than December 1, 2020:

(A) issue a written report setting forth the recommendations of the task force, including:

- (i)** the long term plan for the management of the state forests developed and recommended under subdivision (5) and section 10 of this chapter; and
- (ii)** the legislation recommended under subdivision (6); and

(B) submit the report:

- (i) in an electronic format under IC 5-14-6 to the executive director of the legislative services agency for distribution to the members of the general assembly; and
- (ii) to the governor.

Sec. 10. The long term plan for the management of the state forests developed and recommended by the task force under section 9(5) of this chapter must do the following:

- (1) Incorporate management options determined by the task force to constitute a balanced strategy that will allow stakeholders to share the state forest system as a whole in a way that best satisfies the needs of all.
- (2) Be based upon the consideration of the comments of all interested persons, including:
 - (A) members of the general public;
 - (B) owners and occupants of property neighboring the state forests; and
 - (C) wildlife scientists.

(3) Embody the following principles:

(A) All land within the state forests must be assigned a priority use. According to the priority use assigned to it, a state forest or a part of a state forest will be within one (1) of the following categories:

- (i) Property optimized for game and nongame recreational use, including the hunting of different game species and the support of habitat for nesting and migration of a diversity of nongame species.
- (ii) Property optimized for high quality commercial lumber production.
- (iii) Property set aside to allow unmanaged natural succession for species native to the indigenous climate zone.

(B) A determination must be made as to what percentage of all state forest property will be assigned to each of the categories set forth in clause (A).

(C) A state forest or a part of a state forest that is assigned the priority use of maintaining native flora and fauna with unmanaged natural succession under clause (A)(iii) must have:

- (i) an adequate buffer of appropriate recreational forests; and
- (ii) minimal management, such as for trail maintenance for safety.

Sec. 11. The report issued by the task force under section 9(7) of this chapter:

(1) must include a summary of the advice received by the task force from:

- (A) government, academic, and private sector forest professionals and stakeholders; and
- (B) private citizens;

as to how best to achieve the balanced strategy required by section 10(1) of this chapter; and

(2) must make recommendations concerning the following:

- (A) The percentages of all state forest land that should fall within each of the three categories set forth in section 10(3)(A) of this chapter according to the priority use assigned to the state forest lands.
- (B) The state resources needed to manage the state forests and options for effective funding sources not dependent on logging.
- (C) Appropriate procedures for wildlife inventory on all state forest lands to be logged.
- (D) Whether a standing independent state forest commission to oversee implementation of the long term plan for the management of the state forests developed and recommended by the task force under section 9(5) of this chapter would be of

significant benefit and, if so, how the state forest commission should be organized.

(E) A list of state forest management issues raised by stakeholders during the task force study under this chapter but not resolved by the report issued by the task force.

(F) The subjects discussed and issues raised during the task force's study and deliberations concerning which the general assembly may choose to pass legislation.

Sec. 12. The legislative services agency shall provide staff support to the task force.

Sec. 13. This chapter expires January 1, 2021."

Renumber all SECTIONS consecutively.

(Reference is to ESB 363 Digest Correction as printed March 19, 2019.)

PIERCE

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 339: yeas 31, nays 63. Motion failed.

HOUSE MOTION (Amendment 363-2)

Mr. Speaker: I move that Engrossed Senate Bill 363 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 14-8-2-82.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 82.5. "Eligible county", for purposes of IC 14-22-6-17, has the meaning set forth in IC 14-22-6-17(b)."

Page 3, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 5. IC 14-22-6-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17. (a) This section applies only in a county that is entirely south of U.S. Highway 40.

(b) As used in this section, "eligible county" refers to a county described in subsection (a).

(c) Subject to subsection (f), beginning after June 30, 2019, there is established a bobcat hunting and trapping season in an eligible county.

(d) The director shall establish and implement a program under which an individual who is:

(1) licensed under IC 14-22; or

(2) exempt from the licensing requirements established under IC 14-22, as provided in IC 14-22-11-1;

may hunt or trap a bobcat in an eligible county.

(e) The program established by the director under this section shall include the following:

(1) The duration of the bobcat hunting and trapping season, which includes the director's authority to shorten the season for any of the reasons referred to in subsection (f).

(2) The number of bobcats that an individual may take during a bobcat hunting and trapping season.

(3) A quota for bobcats that may be taken during a bobcat hunting and trapping season established by this section.

(4) Procedures for an individual who hunts or traps a bobcat to report the individual's taking of a bobcat to the department.

(5) Criteria to add or remove a county from the list of eligible counties.

(6) Any other provision in the director's discretion that is required to administer the bobcat hunting and trapping season established by this section.

(f) The director is not required to open a bobcat hunting and trapping season described in subsection (c) in an eligible

county if the director makes a determination that opening of the season is not warranted because of any of the following reasons:

- (1) Public safety.
- (2) Wildlife management.
- (3) Conservation best practices.
- (4) Any other reason the director determines does not warrant the opening of the season."

Renumber all SECTIONS consecutively.

Representative Leonard rose to a point of order, citing Rule 118, stating that the motion was attempting to incorporate into Engrossed Senate Bill 363 a bill pending before the House. After discussion, Representative Goodin withdrew the motion to amend. The bill was ordered engrossed.

Engrossed Senate Bill 621

Representative Porter called down Engrossed Senate Bill 621 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 85

Representative VanNatter called down Engrossed Senate Bill 85 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 258

Representative Manning called down Engrossed Senate Bill 258 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 340: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 380

Representative McNamara called down Engrossed Senate Bill 380 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 341: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 442

Representative Morrison called down Engrossed Senate Bill 442 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 342: yeas 73, nays 23. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 471

Representative Soliday called down Engrossed Senate Bill 471 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 343: yeas 69, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 545

Representative Carbaugh called down Engrossed Senate Bill 545 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 344: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 596

Representative Schaibley called down Engrossed Senate Bill 596 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 345: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 57, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 13, line 21, delete "and".

Page 13, line 23, after "agent" delete "." and insert "; and".

Page 13, between lines 23 and 24, begin a new line block indented and insert:

"(4) with respect to an athlete who is a high school student, allowed by the interscholastic association that determines eligibility for the athlete."

(Reference is to SB 57 as printed February 22, 2019.) and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 192, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 192 as printed February 8, 2019.)
Committee Vote: Yeas 8, Nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 230, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, after line 3, begin a new paragraph and insert:

"SECTION 2. IC 26-2-5-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 4. (a) This section applies to contracts entered into on or after July 1, 2019.**

(b) All provisions, clauses, covenants, or agreements contained in, collateral to, or affecting a contract pertaining to professional services of design professionals, architects, landscape architects, surveyors, engineers, geologists, or geotechnical and environmental consultants that purport to:

(1) require the professional to defend the promisee against a professional liability claim; or

(2) indemnify the promisee against liability other than liability for damages and losses arising out of third party claims to the extent the damages and losses are caused by the professional's willful misconduct or negligence;

are against public policy and are void and unenforceable."

Renumber all SECTIONS consecutively.

(Reference is to SB 230 as printed February 1, 2019.)
and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

TORR, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 119 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lindauer, May and Pressel be added as cosponsors of Senate Concurrent Resolution 15.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Karickhoff, Jackson, GiaQuinta, Moseley and Boy be added as coauthors of House Resolution 30.

BECK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as cosponsor of Engrossed Senate Bill 2.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morrison be added as cosponsor of Engrossed Senate Bill 85.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as cosponsor of Engrossed Senate Bill 182.

MORRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Steuerwald and McNamara be added as cosponsors of Engrossed Senate Bill 198.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as cosponsor of Engrossed Senate Bill 258.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 281.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as cosponsor of Engrossed Senate Bill 375.

AYLESWORTH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as cosponsor of Engrossed Senate Bill 405.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris and Prescott be added as cosponsors of Engrossed Senate Bill 442.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as cosponsor of Engrossed Senate Bill 472.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 562.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Heine be added as cosponsor of Engrossed Senate Bill 566.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 567.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Wesco, Stutzman and Miller be added as cosponsors of Engrossed Senate Bill 604.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Hamilton be added as cosponsor of Engrossed Senate Bill 632.

HEATON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 51 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Steuerwald, the House adjourned at 6:20 p.m., this twenty-fifth day of March, 2018, until Tuesday, March 26, 2018, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives